

majority. Given the nominees' bipartisan support, I expect them to be unanimously confirmed today.

New York is an example of how a bipartisan process can work right to equip the Federal bench with excellent and moderate judges. All 4 of these nominees have impressive legal careers, and received the highest rating from the American Bar Association.

Justice Feuerstein, nominated to the Eastern District of New York, currently serves as a justice in the New York State Appellate Division and has served as a judge in the New York State court system for approximately 15 years. Justice Feuerstein also has a distinguished record of service as a judge beyond her work on the bench, including serving as director of the Nassau County Bar Association and as president of the Women's Bar Association of the State of New York.

Mr. Castel, Mr. Holwell, and Mr. Robinson, nominated to the U.S. District Court for the Southern District of New York, all have significant litigation experience as well as commendable records of providing legal services to disadvantaged persons. Peter Castel is currently a partner at Cahill Gordon & Reindel and has litigated there for over 20 years. Among other civic activities, Mr. Castel has served on the board of directors for the Legal Aid Society.

Richard Holwell has been practicing for over 31 years as a litigation attorney with White and Case in New York, where he has served as executive partner of the global litigation practice and a member of the firm's management board. He has dedicated hundreds of hours to pro bono activities every year, and received a Pro Bono Award from the NAACP Legal Defense and Education Fund for his services.

Stephen Robinson has significant experience in litigation and investigations. He served as the first African-American U.S. Attorney for Connecticut, appointed by former President Clinton, from 1998 to 2001. Prior to that, he had served as a litigator in private practice, as an Assistant U.S. Attorney in the Southern District of New York, and as a counsel and special assistant to the Director of the FBI. Mr. Robinson has also served as secretary and a member of the board of directors of MFY Legal Services, an organization that provides legal services to the poor.

David Proctor is nominated to the U.S. District Court for the Northern District of Alabama, and comes to us with experience as a private practice attorney and the support of both of his home-state Senators. Mr. Proctor is filling a new position that was just created on July 15, 2003.

Finally, I would like to point out that there are now more active George W. Bush appointees on the bench than there are active George Herbert Walker Bush appointees. The President's father served 4 full years. This President has served less than 3 and already has made as much impact on the Federal courts across the country.

We are glad that the Republican leadership has now agreed to confirm these consensus nominees. We have and will continue to work with the Republican leadership and Administration. We would like to be more helpful in the President's identification of nominees and advising him on the selection of consensus nominees so that we can join together in adding those confirmations to the 151 achieved as of today.

ADDITIONAL STATEMENTS

LITTLE COUNTRY THEATER TRIBUTE

• Mr. DORGAN. Mr. President, 90 years ago students at a small school then known as the North Dakota Agricultural College created a drama facility called the Little Country Theater. This was surprising—the school was, after all, largely focused on agricultural science and professional training for specialties like pharmacy and chemistry. But the college had one of those rare phenomena that every institution lusts after—a dynamic, driven professor who was both dreamer and doer.

For the next four decades, Alfred Arvold was the guiding force of the Little Country Theater and the theater itself was the school's intellectual and artistic heart. Arvold and his students took an unused chapel and turned it into a home for drama; rebuilt an attic garret into a faux log cabin that became the college's premier meeting spot, one which hosted luminaries like Marian Anderson, Charles Laughton, Yehudi Menuhin, Ethel Barrymore, Eugene Ormandy, Charles Lindberg, Paul Robeson and Carl Sandburg; and produced a flurry of productions, many written by the students themselves.

The focus of Arvold's philosophy was to bring theater to the public and he provided instructions and guidance for rural communities on how to produce plays at low cost and in the most modest of facilities, in cow pastures and haylofts, lit by lanterns and with planks for seating. Drama was to be used, he said, "as a force in getting people together and acquainted. Instead of making the drama a luxury for the classes, its aim was to make it an instrument for the enlightenment and enjoyment of the masses."

To do that, the Little Country Theater toured regularly, sometimes traveling by special train and often producing sweeping outdoor epics—one pageant mobilized 1,500 performers—that attracted huge crowds, including one of 30,000 spectators.

After Arvold retired, Dr. Frederick Walsh and then Dr. Tal Russell took the reins and the theater moved in 1968 from its old quarters into a few facility built with significant help by friends of the school, Reuben and Hilda Askanase. By that time, the college had switched its name to North Dakota State University.

Despite those changes, the legacy of the Little Country Theater continued.

There was still the outreach. For a number of summers a troupe of actors known as the Prairie Stage toured the state, moving by semi-truck and performing in a circus-like tent. An outdoor drama, "Old Four Eyes," a saga of Teddy Roosevelt's adventures in the North Dakota Badlands, was written by Walsh and performed right in the Badlands. "Trails West," the story of Custer's last days, was also performed at Fort Lincoln, his last post.

During its 90 years, the Little Country Theater has produced 600 plays, turned out a number of performers who went on to professional careers, entertained audiences, and, most critically of all, educated generations of students. It's a proud, vital, and continuing legacy that I'm proud to acknowledge and, more importantly, honor today in the Senate. •

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT RELATIVE TO THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM—PM 49

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent the enclosed notice, stating that the national emergency with respect to persons who commit, threaten to commit, or support terrorism is to continue in effect beyond September 23, 2003, to the *Federal Register* for publication. The most recent notice continuing this emergency was published in the *Federal Register* on September 20, 2002 (67 FR 59447).

The crisis constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks in New York, Pennsylvania, and against the Pentagon committed on September 11, 2001, and the continuing and immediate threat of further attacks on United States nationals or the United States that led to the declaration of a national emergency on September 23, 2001, has not been resolved. These actions pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to persons who commit, threaten to commit, or support terrorism and maintain in force the comprehensive sanctions to respond to this threat.

GEORGE W. BUSH.
THE WHITE HOUSE, September 18, 2003.

MESSAGE FROM THE HOUSE

ENROLLED BILLS SIGNED

At 9:33 a.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 678. An act to amend chapter 10 of title 39, United States Code, to include postmasters and postmasters' organizations in the process for the development and planning of certain policies, schedules, and programs, and for other purposes.

S. 520. An act to authorize the Secretary of the Interior to convey certain facilities to the Fremont-Madison Irrigation District in the State of Idaho.

MEASURE PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 49. An act to permanently extend the moratorium enacted by the Internet Tax Freedom Act, and for other purposes.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 18, 2003, she had presented to the President of the United States the following enrolled bills:

S. 678. An act to amend chapter 10 of title 39, United States Code, to include postmasters and postmasters' organizations in the process for the development and planning of certain policies, schedules, and programs, and for other purposes.

S. 520. An act to authorize the Secretary of the Interior to convey certain facilities to the Fremont-Madison Irrigation District in the State of Idaho.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with

accompanying papers, reports, and documents, and were referred as indicated:

EC-4278. A communication from the Acting Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a copy of the Commission's latest monthly report on the status of its licensing and regulatory duties; to the Committee on Environment and Public Works.

EC-4279. A communication from the Acting Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, a copy of the Commission's latest monthly report on the status of its licensing and regulatory duties; to the Committee on Environment and Public Works.

EC-4280. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, several documents released by the Agency relative to its regulatory programs; to the Committee on Environment and Public Works.

EC-4281. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation of the Liberty Borough PM10 Non-attainment Area to Attainment and Approval of the Associate Maintenance Plan" (FRL#7556-4) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4282. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Illinois; Revised Motor Vehicle Emissions Inventories and Motor Vehicle Emissions Budgets Using MOBILE6" (FRL#7558-3) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4283. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; North Carolina; Mecklenburg-Union Transportation Conformity Interagency Memorandum of Agreement" (FRL#7557-9) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4284. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Hazardous Waste Management System; Identification and Listing of Hazardous Waste; Final Exclusion" (FRL#7557-5) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4285. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pennsylvania: Final Approval of State Underground Storage Tank Program" (FRL#7557-4) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4286. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Triflozystrobin; Pesticide Tolerance" (FRL#7322-7) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4287. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Missouri" (FRL#7559-9) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4288. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; North Carolina: Approval of Miscellaneous Revisions to Regulations Within the Forsyth county Local Implementation Plan" (FRL#7559-5) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4289. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; North Carolina: Miscellaneous Revisions to the North Carolina State Implementation Plan" (FRL#7558-9) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4290. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New Mexico: Redesignation of Gran County to Attainment for Sulfur Dioxide" (FRL#7556-7) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4291. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Wisconsin" (FRL#7547-5) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4292. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Operating Permits Program; State of Iowa" (FRL#7559-8) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4293. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants; Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming: Control of Emissions From Existing Commercial and Industrial Solid Waste Incinerators" (FRL#7560-2) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4294. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Air Act Approval of Revision to Operating Permits Program in North Dakota" (FRL#7560-5) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4295. A communication from the Deputy Associate Administrator, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Monterey Bay Unified and San Joaquin Valley Unified Air Pollution Control Districts" (FRL#7551-8) received on September 9, 2003; to the Committee on Environment and Public Works.

EC-4296. A communication from the Secretary of Energy, transmitting, a report relative to the Department of Energy's fleet acquisitions of alternative fuel vehicles (AFV) for fiscal year 2002, anticipated acquisitions during fiscal year 2003, and projections for fiscal year 2004; to the Committee on Energy and Natural Resources.

EC-4297. A communication from the Secretary of Energy, transmitting, a report of